

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

DONNA GROHMAN,

Plaintiff,

vs.

MOUNTAIN WEST FARM BUREAU  
MUTUAL INSURANCE COMPANY,

Defendant.

No. CV 19-58-H-SEH

**ORDER**

On March 5, 2021, the Court issued its Order<sup>1</sup> requiring counsel to file exhibits in accordance with certain requirements for the Federal Rule of Evidence 104(a)-(c) hearing now set for June 3, 2021.<sup>2</sup>

On March 12, 2021, Defendant Mountain West Farm Bureau Mutual Insurance Company filed its Notice of Exhibits to be Used at Hearing.<sup>3</sup> Plaintiff

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<sup>1</sup> Doc. 101.

<sup>2</sup> See Docs. 107 and 109.

<sup>3</sup> Doc. 105.

also filed a Notice of Exhibits for Hearing<sup>4</sup> on March 12, 2021. Defendant identified five exhibits filed in the electronic record.<sup>5</sup> Plaintiff designated no exhibits for use at the hearing, but did identify eight documents, which “[t]he substantive opinions at trial will be supported by those documents on file (Document 28-1 through 28-8).”<sup>6</sup>

ORDERED:

1. This Order supercedes and replaces the Court’s March 5, 2021, Order<sup>7</sup> regarding exhibits and deposition transcripts for the Federal Rule of Evidence 104(a)-(c) hearing now set for June 3, 2021.<sup>8</sup>

2. A complete transcript of each deposition, any portion of which is to be offered as evidence at the June 3, 2021, hearing shall be conventionally filed with the clerk and provided to Chambers **on or before May 7, 2021**.

3. Counsel shall meet and confer to create and compile a single loose-leaf exhibit binder, reproduced in quadruplicate, adhering to the following requirements:

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<sup>4</sup> Doc. 106.

<sup>5</sup> See Docs. 105-1, 105-2, 105-3, 105-4, and 105-5.

<sup>6</sup> Doc. 106 at 1.

<sup>7</sup> Doc. 101.

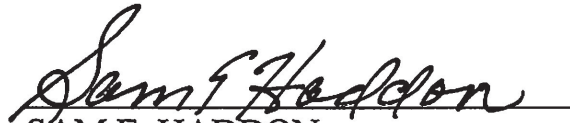
<sup>8</sup> See Docs. 107 and 109.

- a. Each loose-leaf binder shall contain each exhibit that either party intends to offer at the June 3, 2021, hearing.
  - b. Each exhibit shall bear an exhibit sticker and extended tab showing the number of the exhibit.
  - c. Each exhibit document shall be paginated, including any attachments. Plaintiff's exhibit numbers shall be numbered 1 up to 500. Defendant's exhibit numbers shall be numbered 501 and up. All exhibits shall be numbered in chronological sequence. **Exhibits from depositions to be offered at the hearing shall be labeled with the appropriate hearing exhibit number only.**
  - d. Each party shall create a list of the exhibits it intends to offer, which shall comply with the requirements contained in L.R. 16.4(e), to be included as the first documents of the binder.
  - e. Exhibits must be presented in portrait orientation printed on one side only.
4. **On or before May 7, 2021**, counsel shall:
- a. Conventionally file one binder containing all exhibits and exhibit lists with the Clerk of Court.

- b. Mail one binder containing all exhibits and exhibit lists to  
Chambers, 901 Front Street, Suite 3100A, Helena, Montana,  
59626.
- c. Ensure three separate binders containing all exhibits are  
available for use by each party and the witness at the hearing.
- d. File an electronic copy of all exhibits and exhibit lists described  
in paragraph 3(d).

5. The parties are expected to use the Court's available evidence  
presentation technology for exhibit display.

DATED this 21<sup>st</sup> day of April, 2021.

  
SAM E. HADDON  
United States District Judge